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September 11, 2008

VIA ELECTRONIC FILING
Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554

Re: WT Docket No. 07-250
Ex Parte Presentation

Dear Ms. Dortch:

On September 10, 2008, representatives from the Alliance for Telecommunications Industry Solutions ("ATIS") Incubator Solutions Program #4 - Hearing Aid Compatibility ("AISP.4-HAC") met with representatives from the Federal Communications Commission's Wireless Telecommunications Bureau ("WTB"). The purpose of the meeting was to provide the Commission with a detailed set of consensus principles from the wireless industry and advocates representing consumers with hearing loss that address hearing aid compatibility of handsets with multiple frequency bands and/or modes for which no HAC standard exists.

Pursuant to the Commission's February 28, 2008, *First Report and Order* in the above-referenced docket, the submission of the attached Multi-Band General Principles fulfills the commitment of the wireless industry and the advocates representing consumers with hearing loss to develop a consensus plan regarding multi-band and multi-mode handsets. These principles are the result of significant effort by all participants with the AISP.4-HAC to addresses hearing aid compatibility as it applies to handsets operating in bands or modes for which technical standards are not yet established.

In addition to the Multi-Band General Principles, AISP.4-HAC is pleased to share with the Commission consensus labeling language drafted by consumer and industry representatives to help consumers make informed choices on handsets operating in frequency bands and/or modes for which no HAC standard exists. This language would be conveyed in writing to consumers at the point of sale, in the form of an insert or text in boxed manuals and through company websites.

In attendance, representing the WTB were: Jeffrey Steinberg, Deputy Chief, Spectrum and Competition Policy Division; Paul Murray, Legal Advisor; Michael Rowan, Special Counsel; Thomas McCudden, Attorney Advisor; Monica DeLong, Legal Advisor; and Jane Jackson, Associate Chief.

The individuals representing the AISP.4-HAC at this meeting were: Harold Salters, Director, Federal Regulatory Affairs, T-Mobile USA, Inc.; Shellie Blakeney, Senior Counsel, T-Mobile USA, Inc.; Derek Khlopin, Director, Regulatory and Industry Affairs, Nokia, Inc.; Susan Mazuri, Director, Federal Regulatory, AT&T Services, Inc.; Scott Kelly, Disability Access Manager, Motorola Mobile Devices Business; Jared Carlson, Director, Regulatory and Government Relations, Ericsson, Inc.; Steve Coston, Technical Manager, Regulatory Project Office, Sony Ericsson; Deirdre Cheek, Attorney, ATIS; Thomas Goode, General Counsel, ATIS; and James Turner, Technical Coordinator, ATIS. Also participating in the meeting, as a representative of consumers with hearing loss, was Karen Peltz-Strauss, Consultant, RERC on Telecommunications Access.

AISP.4-HAC believes that the consensus-driven process under which the principles were developed was critical to the success of this work and encourages the Commission to seek further input from this group should questions arise pertaining to this matter. Any questions may be directed to the undersigned.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, one copy of this letter is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Sincerely,

Thomas Goode
ATIS General Counsel

Deirdre Y. Cheek
ATIS Attorney

ATTACHMENTS

cc:
Julius Knapp, Chief, Office of Engineering and Technology, Federal Communications Commission
Rashmi Doshi, Chief, Laboratory Division, Office of Engineering and Technology, Federal Communications Commission
Cathy Seidel, Chief, Consumer & Government Affairs Bureau, Federal Communications Commission
Nicole McGinnis, Deputy Bureau Chief (Policy), Consumer & Government Affairs Bureau, Federal Communications Commission
Thomas Chandler, Chief, Disability Rights Office, Consumer & Government Affairs Bureau, Federal Communications Commission

MULTI-BAND GENERAL PRINCIPLES
REGARDING HEARING AID COMPATIBILITY

September 10, 2008

PRINCIPLE 1

This effort applies only to U.S. Commercial Mobile Radio Service (defined in 47 CFR §20.3), for handsets operating in a normal voice mode and typically held to the ear.

PRINCIPLE 2

To effectively address hearing aid compatibility in new frequency bands and/or voice technology modes, it is best to have all stakeholders, including the wireless and hearing aid industries, researchers, and consumers, work together cooperatively.

PRINCIPLE 3

Wireless carriers and manufacturers should investigate hearing aid compatibility early in the handset development process to identify and address potential HAC issues with the intent to make HAC handsets with new frequency bands and/or voice technology modes available as close as possible to a product's launch to the general public.

PRINCIPLE 4

Manufacturers and carriers will develop and validate methods to identify the interference potential of each new frequency band and/or voice technology mode for which there is no HAC standard.

Additional Details

Manufacturers and carriers will test new voice technology modes and/or frequency bands for their M & T values using the FCC approved C63.19 Standard with an AWF of (0) for a period of two years. During this two-year period, testing will be conducted on actual handsets operating in a normal use voice mode on the new technology. Where a handset containing the new voice technology mode and/or frequency band does not meet the C63.19 Standard, then industry would follow the guidelines listed in Principle # 7.

During the two-year period to begin October 1, 2008, manufacturers and carriers will work with an appropriate ANSI accredited body (e.g. ASC C63®)

and consumers, to investigate a preliminary predictive analysis method with a goal of having the predictive HAC analysis method applied to new voice technology modes . Where a more definitive HAC measurement procedure is necessary, the appropriate ANSI accredited body (e.g. ASC C63®) will update the appropriate FCC approved HAC standard. This period allows comprehensive vetting for the 2010 FCC review.

When new frequency bands are introduced, technologies that meet the FCC approved HAC standard in existing frequency bands, but will utilize new frequency bands, will be evaluated in the new band using the preliminary predictive analysis method.

PRINCIPLE 5

If the FCC releases service rules for a new band or voice mode, these rules should address hearing aid compatibility based on the preliminary predictive analysis method developed in Principle 4.

PRINCIPLE 6

If no hearing aid compatibility issues are identified for the new voice technology mode and/or frequency band by the preliminary predictive analysis method pursuant to Principle 4, then no further HAC testing is required, and

(1) The HAC standard for the new band and/or voice technology mode need not be updated; and

(2) The packaging for handsets that contain the new frequency band and/or voice technology mode may be labeled with a HAC rating so long as all other CMRS frequency bands and/or voice technology modes in the handset are HAC compliant, and such labeling follows compliance with all other CMRS frequency bands and voice technology modes included in the FCC approved HAC standards.

PRINCIPLE 7

If hearing aid compatibility issues are identified for a new voice technology or frequency band by the preliminary predictive analysis method pursuant to Principle 4 above, and there are no new HAC measurement procedures in the FCC approved HAC standard for the new voice technology mode and/or frequency band, then:

a) An ANSI accredited standards body (e.g. ASC C63®) will be engaged to update the FCC approved HAC standard for the new frequency band and/or voice technology mode through the standards body's issue

creation process within a designated period of time to be determined by the FCC, with consideration given to both the standards development process and the need for the consumers to have an updated FCC approved HAC standard.

b) Until such time that the handset conforms to the new FCC approved HAC standard, device packaging shall be labeled with the HAC rating for all other CMRS frequency bands/voice technology modes for which standards have been developed. During this period, information that the new frequency band and/or voice technology mode is not included in the FCC HAC standard will be conveyed in writing to the consumer at the point of sale, in the form of an insert or text in boxed manuals, and through company websites.

PRINCIPLE 8

Beginning 12 months after the publication in the Federal Register of an FCC decision adopting a hearing aid compatibility standard for a new frequency band or voice technology mode, a newly launched handset containing this new frequency band or voice technology mode cannot be labeled as HAC compliant nor counted as a compliant handset if it does not meet the new FCC approved HAC standard; handsets certified prior to that point can continue to be counted as HAC compliant handsets.

PRINCIPLE 9

When a hearing aid compatible handset is operating in the original carrier configured voice mode, other carrier configured modes of operation should not cause interference with hearing aids. If interference is noted, then an ANSI accredited body (e.g., ASC C63®) will be engaged to investigate whether revisions to the HAC standard for those other modes is needed.

PRINCIPLE 10

To provide access to handsets with new voice technologies and/or frequency bands expeditiously to people with hearing loss, it is critical that all stakeholders, including the wireless industry, consumers and the FCC, remain engaged on this issue.

AISP.4-HAC
WG 6
September 10, 2008

Consensus Labeling Language
This phone has been tested and rated for use with hearing aids for some of the wireless technologies that it uses. However, there may be some newer wireless technologies used in this phone that have not been tested yet for use with hearing aids. It is important to try the different features of this phone thoroughly and in different locations, using your hearing aid or cochlear implant, to determine if you hear any interfering noise. Consult your service provider about its return and exchange policies and for information on hearing aid compatibility.